

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DIETGOAL INNOVATIONS LLC,	X	
	:	13-cv-08391 (PAE)
	:	
<i>Plaintiff,</i>	:	
	:	
-against-	:	DECLARATON OF
	:	ERIC W. BUETHER
BRAVO MEDIA LLC,	:	
	:	
<i>Defendant.</i>	:	
	X	

Eric W. Buether, under penalty of perjury, affirms and states as follows:

1. I am a member of the firm Buether Joe & Carpenter, LLC, and one of the attorneys representing Plaintiff DietGoal Innovations LLC (“DietGoal” or “Plaintiff”), in this action against Defendant Bravo Media LLC (“Bravo” or “Defendant”). I submit this Declaration in opposition to Defendant’s Motion for Summary Judgment (Dkt. 128).

2. Attached as Exhibit A is a copy of United States Patent No. 6,585,516.

3. Attached as Exhibit B is a copy of the `516 Patent Reexamination Certificate.

4. Attached as Exhibit C is a summary of the additional limitations required by each of the new claims that were issued in the `516 Patent Reexamination Certificate.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 7, 2014, in Dallas, Texas.



Eric W. Buether